

PUBLIC SAFETY AND CRIMINAL JUSTICE COMMITTEE

DATE: August 9, 2006

CALLED TO ORDER: 5:40 p.m.

ADJOURNED: 9:08 p.m.

ATTENDANCE

Attending Members

Mary Moriarty Adams, Chair
Greg Bowes
Vernon Brown
Sherron Franklin
Lynn McWhirter
Lincoln Plowman
Scott Schneider

Absent Members

William Oliver

AGENDA

Address from Judge Cale Bradford

PROPOSAL NO. 422, 2006 - approves an increase of \$1,100,000 in the 2006 Budget of the Marion County Sheriff (County General Fund) to contract for additional jail beds beginning in 2006

"Do Pass"

Vote: 7-0

PROPOSAL NO. 423, 2006 - approves an appropriation of \$3,114,000 in the 2006 Budget of the Marion County Sheriff (Consolidated County Fund) to fund rental of additional jail beds under contracts with the Department of Corrections and Corrections Corporation of America

"Postpone" until August 30, 2006

Vote: 7-0

PROPOSAL NO. 424, 2006 - amends the Code to authorize a new general fee to be known as the "police department vehicle inspection fee"

"Do Pass"

Vote: 7-0

BUDGET HEARING

Overview – City Controller
Forensic Services Agency
Marion County Public Defender's Agency
Metropolitan Emergency Communications Agency (MECA)

PUBLIC SAFETY AND CRIMINAL JUSTICE COMMITTEE

The Public Safety and Criminal Justice Committee of the City-County Council met on Wednesday, August 9, 2006. Chair Mary Moriarty Adams called the meeting to order at 5:40 p.m., with the following members present: Greg Bowes, Vernon Brown, Sherron Franklin, Lynn McWhirter, Lincoln Plowman, and Scott Schneider. Absent was William Oliver.

Address from Judge Cale Bradford

Judge Bradford distributed a series of orders that the court has ordered to help alleviate jail overcrowding (Exhibit A, attached). Some of the orders are as follows:

- Effective August 21, 2006 a night court will be established in an existing court to handle new and targeted D-felony cases.
- A Warrant Strike Team will be developed to target defendants who do not appear for court and arrest them the same day.
- Add a half time commissioner to create a third daily docket in drug court to expedite major felony drug cases.
- Add more prosecutors and public defenders that will man the courts, including night court.
- Effective immediately defendants held at Marion County jail on behalf of another county will be moved to that county within 48 hours.
- The Marion County Crime Lab is directed to eliminate its current backlog by hiring two additional certified examiners and latent fingerprint examiners.
- Community Corrections has seven days to return to court with recommendations on defendant placements (i.e. appropriate for work releases, home detention, etc.).
- The executive committee requires all departments or agency to maximize the use of their existing resources.

Judge Bradford said the projected cost of these orders for the remainder of the year is \$2.2 million. He said these changes need to be permanent; therefore, for the entire year of 2007 the projected cost is \$5.1 million.

Councillor Franklin asked if these orders were put into effect without knowing how the orders are going to be funded. Judge Bradford replied in the affirmative and said some of these orders are budget neutral and are most likely included in the budget request for next year.

Councillor Plowman asked if the warrant strike team is going to require additional staff. Sue Patterson, Court Services Agency, said five additional staff is in the request of the newly formed warrant strike team. Councillor Plowman asked if there is a time frame for the firearm examiners to eliminate their backlog. Judge Bradford said a time frame is not set; however, examiners are to be hired immediately. Councillor Plowman asked if these orders are enough to help with jail overcrowding. Judge Bradford said he cannot guarantee there will be no more inmate managed releases. He said this problem took a long time to develop and these orders will help improve the problem.

PROPOSAL NO. 422, 2006 - approves an increase of \$1,100,000 in the 2006 Budget of the Marion County Sheriff (County General Fund) to contract for additional jail beds beginning in 2006

Major Ronald Chappell, Marion County Sheriff Department (MCSD), said this proposal will provide the County Sheriff with \$1,100,000 in addition to a commissary amount of \$500,000, in order to house 200 more prisoners at Jail II. He directed the committee to (Exhibit B, attached), which illustrates the cost and the increase in jail beds at Jail II. He said over a six month projection the cost of a jail bed would be \$43.75; however, currently they pay Corrections Corporation of America (CCA) \$42.75. Therefore, more research needs to be done in order to find out which figure will be used. Major Chappell said if \$42.75 is the figure that will be used they can move 259 prisoners into Jail II. He said if they wait until September 1, 2006 to move prisoners they could move 307 prisoners into Jail II.

Councillor Bowes asked if it is necessary to have over 400 new jail beds because of a huge release in one month. Major Chappell said they may not have to use the additional jail beds. He said they pay as beds are needed.

Councillor Franklin asked if the requested money is already in the budget. Robert Clifford, City Controller, said the \$1,100,000 will be a loan from the Sanitary Fund to the County General Fund. He said they anticipated this loan in the budget projections, and it is expected to be paid back in 2007.

Councillor Plowman asked how long the requested beds are available. Major Chappell said this proposal is asking for jail beds until December 31, 2006.

Chair Moriarty Adams asked if CCA's contract expires the end of this year. Major Chappell replied in the affirmative. Chair Moriarty Adams asked if the county is bidding out a contract. Mr. Clifford said they are trying to use competition to keep the price on the bid down.

Councillor Bowes moved, seconded by Councillor Brown, to send Proposal No. 422, 2006 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 423, 2006 - approves an appropriation of \$3,114,000 in the 2006 Budget of the Marion County Sheriff (Consolidated County Fund) to fund rental of additional jail beds under contracts with the Department of Corrections and Corrections Corporation of America

Councillor Schneider said Prosecutor Carl Brizzi would like to present this proposal to the Criminal Justice Planning Council (CJPC) before the Council takes a vote on this proposal. He said he would like to postpone this proposal until the next committee meeting after the CJPC.

Councillor McWhirter asked if postponing this proposal will affect the vote taken on Proposal 422, 2006. Major Chappell said this is a different issue than the Proposal 422, 2006 and the vote taken on this proposal will not affect the vote taken on Proposal 422, 2006.

Councillor Bowes asked if this proposal is an overlap of what was passed in Proposal 422, 2006. Councillor Schnedier replied in the affirmative and said the purpose of this proposal is if the Sheriff still feels there is a need to utilize the New Castle facility.

Councillor Schneider moved, seconded by Councillor McWhirter, to "Postpone" Proposal No. 423, 2006 until August 30, 2006. The motion carried by a vote of 7-0.

PROPOSAL NO. 424, 2006 - amends the Code to authorize a new general fee to be known as the "police department vehicle inspection fee"

Earl Morgan, Director of the Department of Public Safety, said this proposal requests authorization for a vehicle inspection fee. He said an application for certificate of title for a motor vehicle or a recreational vehicle may not be accepted by the Bureau of Motor Vehicles unless the vehicle has been inspected by a police officer. He said many of the surrounding counties have already instituted a \$5.00 vehicle inspection fee. Mr. Morgan said the revenues have to be used for the Local Law Enforcement continuing Education Fund if collected by a police officer. If collected by a Sheriff, the revenue must go to a vehicle inspection fund.

Councillor McWhirter asked if \$5.00 is the maximum fee that can be charged. Mr. Morgan said that Indiana statute states that this be the maximum fee. Councillor McWhirter asked how much revenue the new fee will generate. Mr. Morgan said he does not have that information at this time. Councillor McWhirter asked how the fee would be collected. Mr. Morgan said they are working on the details on how to collect the fee. He said he believes it may be collected through an application process.

Councillor Bowes asked what is being inspected and how often. Mr. Morgan said all vehicles except new cars will be inspected because it is necessary to make sure the vehicle is not stolen and there is no connection to criminal activity. Councillor Bowes asked if an inspection is needed on used cars sold through a dealer. Mr. Morgan replied

in the affirmative. Councillor Bowes asked how many used cars are sold in a year. Mr. Morgan said that information is not available at this time; however, it is definitely something that can be researched.

Councillor Plowman asked if the inspection also includes water craft. Mr. Morgan replied in the affirmative.

Councillor Franklin moved, seconded by Councillor Plowman, to send Proposal No. 424, 2006 to the full Council with a “Do Pass” recommendation. The motion carried by a vote of 7-0.

BUDGET HEARING

Overview – City Controller

Mr. Clifford gave the 2007 Budget Overview for Public Safety and Criminal Justice (Exhibit C, on file in the Council office). Some highlights of the presentation are as follows:

- The mayor has asked the Council to revise the introduced budget to allow the highest priority to be given to Public Safety and Criminal Justice.
- The goal is to budget for expenses approved by the CJPC and allocate sources efficiently for the two mergers.
- Some budget challenges are: the rise in criminal justice expenses, the rise in pension obligations, funding employee raises, and bringing county employees to minimum salaries, etc.
- The 2007 introduced budget still needs three million dollars to be identified in savings to be funded and additional money will likely be needed for Criminal Justice this year.
- Public Safety budget has increased by \$54 million of which \$17 million is the transfer of funding for the Washington Township Fire Department budget due to the merger.
- The Indianapolis Metropolitan Police Department (IMPD) has moved to the city side of the budget and the Sheriff will be over both city and county funds.

Chair Moriarty Adams asked if savings can be acquired due to health insurance increases being lower over past years. Mr. Clifford replied in the negative and said they do not put the budget together until they receive a final read on the cost of health insurance.

Councillor Bowes asked what the minimum salary is that a county employee will receive under the new proposal. Jeff Seidenstein, Budget Manager, said the minimum for county employees working 37.5 hours per week is \$18,163 and those working 40 hours per week is \$19,375.

Chair Moriarty Adams asked if the increase in police officers will increase the number of sworn and authorized officers. Mr. Clifford replied in the negative and said recruit classes have began, but they cannot get enough recruits to bring them back up to sworn and authorized numbers due to the retirement of police officers.

Councillor Franklin asked if a breakdown of the savings is available. Mr. Clifford said savings are being identified by reductions of duplicate offices and positions. He said they are also comparing this year's budget to the 2007 budget. Councillor Franklin stated that she does not understand why the pay period of police officers is being compared to 2007. Mr. Clifford said they budgeted in 2007 that all the sworn officers will make the same pay based on the same levels of experiences. Councillor Franklin asked if they were going to review those businesses that received tax abatement. Mr. Clifford replied in the affirmative and said the Department of Metropolitan Development looks into tax abatements.

Councillor Plowman asked if the budget has changed due to the executive court order. Mr. Clifford said the changes are not included in the introduced budget and the funding for this order will likely come from the city's reserve funds.

Chair Moriarty Adams asked how the spending of the city's reserve funds will affect bond rating. Mr. Clifford said it will have an effect on the bond rating, but we are still declared a healthy and growing city.

Councillor Schneider asked if public safety is funded in the budget. Mr. Clifford said the \$54 million is funded in the budget, but more money is needed to put towards the justice system in Marion County. He said the city's budget is fully funded; however, the county budget is short three million dollars.

Forensic Services Agency

Mike Medler, Director of the Forensic Services Agency, gave the agency's budget presentation (Exhibit D, on file in the Council office). Some highlights are as follows:

- The agency has been able to hire new examiners due to County Option Income Tax (COIT) money to address their backlogged cases.
- The agency's overall goal is to reduce turnaround time to six weeks in all forensic disciplines to expedite court cases.
- Crime lab funding is not only a local problem, but a nationwide problem.

- There are 544 firearm cases through August 1, 2006 and the current backlog is 501 cases.
- The agency has experienced difficulty in attracting experienced forensic scientists due to the current salary structure.
- Increase in Character 2 (Supplies) due to additional fuel cost; Character 3 (Services) increase is due to the Information Service Agency (ISA) restructuring of how the charges are being provided; and Character 4 (Assets) there is a reduction of \$58,000 for the 2007 budget only.
- Due to the executive court order Character 1 (Personnel) has been increased to \$3,906,806.

Councillor Plowman asked how long it will take to handle the backlog cases with additional staff. Mr. Medler said if the person is trained and qualified they can do the work in a month or less. He said if the person is directly out of college, it takes about a year to train them. Mr. Medler said a good firearms examiner will do eight to ten cases a month.

Mr. Clifford asked if the increase in Character 1 includes paying more for firearm examiners. Mr. Medler said it includes current staff and new employees.

Bart Brown, Chief Financial Officer, asked if they are only anticipating an increase in Character 1 due to the court order. Mr. Medler said the increase in 2006 is only for Character 1, but in 2007 there will be additional increases due to equipment, fuel, etc.

Marion County Public Defender's Agency

David Cook, Public Defender, gave the agency's budget presentation (Exhibit E, on file in the Council office). Some highlights are as follows:

- The agency has experienced a problem with attorneys refusing to take additional Termination of Parental Rights (TPR) cases due to huge caseloads.
- A solution to this growing problem is to transfer \$450,000 from Character 3 to Character 1 to provide for nine full time attorneys and request funding for five additional attorneys.
- The agency will need 17 full time staff for four new courts and eight contract attorneys.
- The Public Defender Commission projects that four million dollars in revenue will be realized for 2007, if the agency is in full compliance of the commission's

new standards. To be in compliance the agency will need 14 D felony full time attorneys.

- Attorneys are currently sharing offices due to the increase in staff. The agency is currently looking into consolidating staff to one central location and is also working on a proposal to obtain new space.

Councillor Plowman asked what the process is for hiring new attorneys. Mr. Cook said they go through the bar association, by word of mouth, etc.

Debra Green, Public Defender Agency, said the executive court order has made an impact on the agency's budget of approximately \$1,166,204, which is not included in the introduced budget. She said this increase represents an additional 17 employees both contract and full time. Ms. Green said nine of the TPR attorneys are being funded out of contracts in Character 3 of their existing budget. She said Character 1 reflects a huge increase due to health insurance, pension, and social security being under funded in the 2006 budget. She said there is an increase in Line Item 359 (Building Rent), 366, (Office Remodeling), and 371 (Rent) in anticipation of moving out of the City-County Building.

Councillor McWhirter asked if the \$16 million funds all their increases in staff. Ms. Green said they are asking for an additional \$1,166,204 to accommodate the executive court order. She said in addition they are requesting \$1,008,000, which represents the \$450,000 that is being transferred from Character 3 to Character 1 for the TPR positions.

Metropolitan Emergency Communications Agency (MECA)

Ray Raney, Director of MECA, said MECA provides infrastructure for public safety in Marion County. He said their staff consists of 22 full-time employees, who support public safety and the public service radio system, as well as computer dispatch to 911 telephone systems. Mr. Raney said the agency also provides a help desk seven days week, 24 hours a day. He said the agency maintains a tremendous amount of electronic equipment. He said the biggest challenge facing the agency is maintaining their 16 year old radio system. Mr. Raney said they are in the process of replacing the radio system and anticipated the new radio system to be operational in the next 24 months.

Leslie Wilson, Administrative Manager, said the agency has two separate funds; the MECA fund and the Emergency Telephone Communications Fund. She said there are no increases in Character 1 (Salaries) and the decrease is due to the changes in fringes; in Character 2 (Supplies) there is an increase of \$6,500 due to the increases in fuel; in Character 3 (Other Services and Charges) there is a decrease of \$324,555, the bulk of the deduction is in COIT.

Councillor McWhirter asked if the three percent raise is going to be figured in their budget. Mr. Clifford replied in the affirmative and said the raise is not in their budget at this time. Councillor McWhirter asked what the decrease in COIT was. Mr. Seidenstein said the

decrease is reimbursing the Sheriff's department and the Indianapolis Fire Department for their cost of the dispatching operations.

CONCLUSION

With no further business pending, and upon motion duly made, the Public Safety and Criminal Justice Committee of the City-County Council was adjourned at 9:08 p.m.

Respectfully submitted,

Mary Moriarty Adams, Chair
Public Safety and Criminal Justice Committee

MMA/as